REMARKS

Applicant respectfully requests reconsideration and allowance for the above-identified patent application. Claims 1, 2, 4, 6, 8-13, 15-20, 22, and 23 remain pending by amendment to claim 1 in this paper.

Initially, Applicant and Applicant's Attorney express appreciation to the Examiner and the Examiner's Supervisor for the telephonic interview recently held on January 24, 2008, as well as the follow-up communication with the Examiner on January 29, 2008. The foregoing amendments and following arguments are consistent with those presented and discussed during the interview and subsequent communication.

Applicant also notes with appreciation the Office's withdrawal of the previous grounds of rejection.

In this action, the Office rejects the independent claims under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,374,300 to Masters (*Masters*) in view of U.S. Patent No. 6,557,038 to Becker et al. (*Becker*).[1] Applicant respectfully traverses this ground of rejection.

As noted during the interview, the present invention provides for an HTTP-based, reliable messaging protocol that enables bi-directional reliable messaging through a web proxy. In a particular embodiment, the various independent claims enable the bi-directional messaging by providing HTTP-based "requests", which are parked at a computing device and include a request that such computing device send a "reply" after a specified period of time. This will ensure that the other side's proxy server will not time out and close the connection due to inactivity on the channel.

Applicant respectfully submits that the cited art of record does not render the present claims unpatentable for at least the reason that the alleged prior art does not disclose or suggest each and every element of Applicant's independent claims. For example, the cited art does not disclose or suggest "wherein an HTTP-based 'request' includes therein a request that a processor transmits a reply after the expiration of a time period even if there are no messages to send to a first processor," as generally claimed within the independent claims

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise.

Masters discloses a mechanism for storing load balancing information within an HTTP cookie. *Masters*, however, is silent with regards to parked HTTP-based "requests" or any attempt to establish a reliable messaging protocol that enables bi-directional reliable messaging through a web proxy. Accordingly, and as acknowledged in Office action, the cited *Masters* reference cannot possibly disclose or suggest the feature of *"wherein an HTTP-based 'request' includes therein a request that a processor transmits a reply after the expiration of a time period even if there are no messages to send to a first processor."* Noting some of the deficiencies of *Masters*, the Office action now cites *Becker* as allegedly disclosing such features.

Becker discloses a mechanism for maintaining session state. Although *Becker* describes using HTTP protocol for to maintain an active session between a client and a server, *Becker* is silent with regards to "parking" an HTTP-based request and including therein a request a request for a sending a reply within a timeout period. In fact, *Becker* discloses that in reply to a request from a client for a web page, the server returns a page that includes code for executing a "timeout loop" on the client. Based on the occurrence of an event as indicated by the timeout loop (e.g., expiration of a time period), the client sends another request to the server to keep the session state alive. In response to this request, a reply is sent from the server with a header indicating essentially that the server received the request, which then resets the timeout loop on the client and the process continues. (*See e.g.,* col. 5, l. 49 to col. 6, l. 16). In other words, *Becker* (at most) discloses sending a timeout request in a *"reply"* to an HTTP request indicating that the client must send a "request" upon the expiration of a timeout period, which is the exact opposite of Applicant's claimed invention. As such, *Becker* cannot possibly rectify those deficiencies noted above with regard to *Masters*.

Nevertheless, the Office action cites Fig. 8 and the description thereof as allegedly disclosing the deficiencies noted above with regard to *Masters*. As discussed and generally agreed to during the interview and communication, however, Fig. 8 and its cited section (as well as the reset of *Becker*) do not disclose or suggest a *parked* HTTP-based *"request"* that includes a request that a processor *transmit a "reply"* after the expiration of a time period. In fact, as acknowledged by the Office action, this cited section teaches the use of a header in an HTTP "reply" indicating that "the server has fulfilled the request but there is no new information to send back." (*See e.g.,* col. 7, ll. 38-50). In other words, this section merely describes the use of a header in a "reply" for resetting the timer for a java "timeout loop" script running in the client's

browser that prompts the client to send another request to the server in maintaining session state as described above. Accordingly, since *Becker* maintains session state in a manner exactly opposite to Applicant's claims (i.e., *Becker* sends a timeout loop in a HTTP-based "reply" to a client's request for a web page, which the client uses to then send HTTP-based "requests" to maintain session state—the replies of which include a header that resets the loop), *Becker* actually "teaches away" from Applicant's claim for a "*an HTTP-based 'request'[that] includes therein a request that a processor transmits a reply after the expiration of a time period even if there are no messages to send to a first processor.*"

In summary, since neither *Masters* nor *Becker* disclose or suggest each and every element of Applicant's independent claims, and because *Becker* actually "teaches away" from Applicant's claimed invention, this cited art does not render the present application unpatentable.

Based on at least the foregoing reasons, Applicant respectfully submits that the cited prior art fails to anticipate or otherwise make obvious Applicant's invention as claimed. Applicant notes for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertions with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable and Applicants reserve the right to do so.

All objections and rejections having been addressed, Applicant respectfully submits that the present application is in condition for allowance, and notice to this effect is earnestly solicited. Should any questions arise in conjunction with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at 1-801-533-9800.

DATED this 1st day of February, 2008.

Respectfully Submitted,

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